FILED
BRYAN MUNICIPAL COURT
Nov 21, 2025 - 01:09:54 PM

IN THE BRYAN MUNICIPAL COURT
WILLIAMS COUNTY, OHIO

State of Ohio : Case No. CRB2400102
v. :
Jeremy Lee Shepherd : Judge Kent L. North

MOTION TO VACATE JUDGMENT AND REQUEST FOR IMMEDIATE DISMISSAL DUE TO STRUCTURAL AND CONSTITUTIONAL DEFECTS

Now comes the Defendant, Jeremy Lee Shepherd, pro se, and respectfully moves this Honorable Court to vacate the judgment of conviction in this matter pursuant to its inherent authority to correct manifest injustice and protect constitutional guarantees. This motion is based on numerous legal, procedural, and constitutional defects that render the judgment void, unreliable, or obtained in violation of due process and effective representation.

The following grounds support this request:

I. IMPROPERLY FILED COMPLAINT AND VOID COMMENCEMENT

1. The complaint was signed by Lisa Nye, whose role and legal authority are in dispute. While she signed as Deputy Clerk of Court, records and her own correspondence confirm she has been employed continuously by the Williams County Sheriff's Department from at least 2013 onward.

2. Nye's prior 2008 oath as a sheriff's deputy was voided by a 2013 oath as Deputy Clerk. No updated oath or legal delegation reinstating her law enforcement authority was filed prior to the 2024 complaint. Therefore, her dual roles present a conflict of interest and invalidate her authority to initiate criminal complaints.

3. The complaint was filed without lawful prosecutorial review, supporting documentation, or witness statements, constituting a facially void initiation of prosecution.

II. TIMING IRREGULARITIES, SELECTIVE ENFORCEMENT, AND DUE PROCESS VIOLATIONS

4. Misclassification of Alleged Offense Raises Jurisdictional Questions

The original complaint described conduct that, by content and implication, involved a minor and contained allegations of a sexual nature. Under Ohio Revised Code, such offenses typically fall under felony jurisdiction and would be expected to proceed through Grand Jury indictment and

Common Pleas Court review. However, this case was instead filed in Bryan Municipal Court as a misdemeanor, without formal explanation.

This raises substantial concerns regarding prosecutorial discretion, jurisdictional manipulation, and possible suppression of a felony-grade offense. The filing of a case involving potentially serious allegations in a limited-jurisdiction court — absent felony indictment or evidentiary hearing — undermines public trust and judicial transparency. This action deprived the Defendant of the appropriate forum and procedures that such an allegation would normally entail.

5. Unexplained Delay Between Alleged Incident and Filing of Complaint

The alleged incident reportedly occurred on January 31, 2024. However, the criminal complaint was not signed until February 26, 2024, and was not officially filed with the court until March 4, 2024. No explanation has been provided for this significant delay, and the docket reflects no indication that any investigation or sworn law enforcement verification occurred during this time.

Such an unaccounted-for gap between the alleged incident and formal action raises serious due process concerns. In criminal matters, prompt investigation and timely filing are foundational to the legitimacy of prosecution. The lack of investigative record or prosecutorial review prior to filing—paired with administrative silence regarding the delay—reflects procedural breakdowns and undermines the integrity of the charging process. These irregularities weigh in favor of vacatur.

6. Selective Child Removal Undermines Threat Assessment

Law enforcement engaged directly with Jeremy Lee Shepherd during the January 31, 2024 incident. Despite allegedly receiving a fresh accusation of misconduct involving a minor, authorities removed only the stepchildren from the home — while knowingly leaving the Defendant's biological minor son in his custody.

This action defies standard protocol for emergency child protection. It exposes a critical contradiction in the response: either the accusation was not believed to pose a credible threat at the time, or the agencies involved failed to act with due diligence. In either case, the response undermines the legitimacy of the complaint and raises serious concerns about selective enforcement and retaliatory motivation.

If Jeremy had truly been perceived as a danger, the decision to leave one child behind while removing others becomes not only illogical, but potentially negligent — and serves as evidence of the arbitrary and inconsistent manner in which this case originated.

7. A Temporary Protection Order (TPO) was issued and faxed to the Edon Police Department on March 6, 2024 — a full week before the Defendant's scheduled arraignment on March 13, 2024. This premature dissemination of a legally binding order to law enforcement occurred prior to Mr. Shepherd being advised of the charges, afforded the opportunity to appear, or granted

any forum to contest the allegations. Such action constitutes a violation of due process and creates the appearance of a pre-judged outcome, undermining the presumption of innocence and further eroding the legitimacy of the proceedings. The court's actions imposed legal consequences before any adversarial hearing had taken place.

8. A copy of the same TPO was mailed to the alleged victim and returned as "undeliverable," suggesting that the court failed to verify the recipient's contact information before initiating judicial orders on their behalf. This breakdown in verification raises serious concerns regarding the authenticity, origin, and procedural basis of the complaint. The court's issuance of a protection order without confirmed involvement or proper service of the complaining party further calls into question the legitimacy of the protective action, and may indicate administrative misconduct or systemic failure to follow required legal safeguards.

9. Arraignment Date Manipulation and Procedural Irregularities

The arraignment was originally scheduled for March 21, 2024, then abruptly moved up to March 13, 2024, without explanation or formal notice on the docket. This change limited Mr. Shepherd's time to prepare, review charges, and secure adequate legal support.

Notably, the arraignment was rescheduled to a Wednesday—March 13, 2024—despite court staff allegedly informing Mr. Shepherd at the time that arraignments are not typically held on Wednesdays. According to their statement, arraignments are normally conducted on Thursdays. This deviation from routine scheduling further suggests irregular handling of the case and may indicate intentional obstruction or manipulation, especially given the absence of any docketed reason for the change.

Such practices violate the fundamental right to due process and fair notice under the Ohio Rules of Criminal Procedure and the U.S. Constitution, compromising both the integrity and lawfulness of the proceedings.

III. PROSECUTORIAL MISCONDUCT AND PREMATURE ACTION

10. Prosecutor James F. Duranczyk filed a discovery packet prior to Mr. Shepherd's arraignment, indicating that the prosecution process was prematurely initiated without proper judicial oversight or formal service. This procedural leap undermined Mr. Shepherd's right to review, respond to charges, and secure adequate representation prior to the State initiating adversarial proceedings.

11. Included in the undisclosed discovery was a law enforcement narrative that was never entered into the docket. This statement was never subjected to cross-examination, evidentiary hearing, or adversarial challenge, despite containing factual inconsistencies. Its off-the-record existence circumvents both the defendant's confrontation rights and the transparency expected

in criminal proceedings. The prosecution's reliance on such undocumented material reflects a disregard for due process and raises significant ethical concerns.

IV. CONFLICTED AND INEFFECTIVE LEGAL COUNSEL

12. Defense counsel failed to provide constitutionally adequate representation in several critical areas, including:
- Failing to file motions to suppress, dismiss, or otherwise challenge a defective complaint;
- Failing to investigate or subpoena dispatch records that could contradict or discredit law enforcement claims;
- Failing to request or advocate for ADA accommodations, despite Mr. Shepherd's documented disability and SSDI status;
- Failing to challenge demonstrably false or misleading law enforcement statements that formed the basis of the prosecution.

These omissions meet the **Strickland test**: the performance was deficient, and the outcome was materially impacted, resulting in prejudice to the defendant.

13. Kylee Towne was assigned as defense counsel while actively tied to Williams County Job and Family Services (JFS), including serving as the attorney for the dependency docket and her appointment as Director of JFS in October 2024.

14. Ms. Towne referred to the accuser as "the victim" from her first interaction with Mr. Shepherd, refused the submission of defense evidence, and repeatedly threatened that he would lose his home, children, and disability benefits if he fought and went to trial.

15. Defense counsel warned Mr. Shepherd that copying or discussing the contents of his discovery packet — which included references to a minor — could result in immediate incarceration. No protective order, court order, or written restriction was provided to justify this warning. This threat effectively suppressed his ability to review case materials, seek guidance, or obtain outside legal input. Such a restriction on discovery access undermines the Sixth Amendment right to prepare a defense and constitutes coercive legal intimidation. Without due process or legal authority, this warning functioned more as a tool of control than a legitimate legal safeguard.

16. Coercive Plea Pressuring to Avoid Trial Exposure – Defense counsel strongly urged Mr. Shepherd to accept a plea agreement despite his repeated request for a jury trial. This pressure included threats that he would lose his home, children, and disability benefits, and be incarcerated immediately if he pursued trial. Given the lack of supporting evidence, the improper complaint, and the procedural irregularities throughout, this plea push appears designed to prevent public scrutiny of the case. A jury trial would have required transparency, evidence presentation, and testimony under oath — all of which the record shows the prosecution and

defense sought to avoid. Such coercion, in a context of systemic conflict of interest, nullifies the voluntariness of the plea and constitutes manifest injustice.

V. ACCESS TO JUSTICE AND PATTERN OF RETALIATION

17. Attempted Denial of Jury Trial and Improper Trial Scheduling

Initially, the Court scheduled this matter for a bench trial without offering Defendant the opportunity to elect a jury trial. Only after Mr. Shepherd objected — expressing concern over fairness and impartiality — was the case re-designated for a jury trial. Even then, the reclassification was handled reluctantly by defense counsel, who failed to ensure the Defendant's trial rights were clearly secured and preserved on the record.

This deliberate or negligent obstruction of the Defendant's right to a jury trial — especially in a case involving reputational harm and potentially lifelong stigma — constitutes structural error. It further reflects the defense counsel's indifference to constitutional safeguards and supports the claim of ineffective assistance.

18. Mr. Shepherd disclosed on March 13, 2024, via financial affidavit, that he was receiving Social Security Disability (SSDI). This should have triggered ADA safeguards, which the Court failed to initiate or document.

19. In February 2025, a vehicle registration block was placed due to a missed payment. The court attempted notification using outdated contact information, despite having his correct number. This action violated recent state restrictions and caused undue hardship.

20. Mr. Shepherd was charged for a jury trial that never occurred, yet billed as though it had. This constitutes improper billing and may rise to the level of financial fraud by the court. It reflects not only administrative mismanagement but also potential systemic exploitation. The financial pressure it caused—along with loss of income from gig work directly tied to the pending charges—pushed Mr. Shepherd into economic freefall. This directly contributed to the foreclosure of his long-term residence after maintaining housing stability for over ten years.

21. Following protected ADA-related activity and efforts to obtain full and accurate case records, the Defendant experienced increasing hostility from court administrative staff. This includes unexplained delays in processing filings, inconsistent treatment of submissions, and an apparent refusal to acknowledge or apply federal disability protections. These actions collectively reflect a pattern of obstruction and retaliation, rather than good faith engagement with ADA compliance.

VI. Judicial Misconduct

22. Judge Kent L. North acknowledged Lisa Nye's 2013 oath of office confirming her appointment as Clerk of Court, and later accepted her 2024 criminal complaint against Mr. Shepherd, filed under the authority of the sheriff, despite no law enforcement involvement. This introduces an inherent conflict of interest and undermines impartiality.

23. Lisa Nye, who submitted the 2024 criminal complaint against Mr. Shepherd, publicly represents herself as a current employee of the Williams County Sheriff's Department. In official email communications, she uses a Sheriff's Department signature block, despite filing the complaint under the authority of the Clerk of Court. This dual representation — filing as Clerk while actively affiliated with law enforcement — introduces a serious jurisdictional conflict. It calls into question the neutrality of the complaint, violates the separation of prosecutorial and judicial functions, and undermines the foundational integrity of the case.

24. The Judge took no action to disqualify Kylee Towne as appointed counsel, despite her simultaneous roles with the Dependency Docket, Court Appointed Counsel program, and subsequent appointment as Director of JFS — the agency with systemic interest in the case outcomes.

25. No motions or substantive filings appear on the record from defense counsel throughout the case, suggesting ineffective representation and a breakdown of adversarial process. Despite this, the Judge proceeded to trial and sentencing without addressing these procedural gaps.

26. The court failed to intervene or investigate the apparent absence of formal ADA safeguards, the improper basis of the complaint, or the administrative conflicts surrounding the Clerk's dual role.

27. The Judge's acceptance of a structurally compromised case, failure to ensure independent counsel, and tolerance of procedural irregularities reflects a dereliction of judicial duty and warrants further review.

VI. LEGAL STANDARD AND MANIFEST INJUSTICE

This Court retains the inherent authority to vacate convictions obtained through structural error, conflict of interest, due process violations, and ineffective assistance of counsel. These errors independently and collectively violate:

- United States Constitution, Amendments V, VI, and XIV
- Ohio Constitution, Article I, Sections 10 and 16
- Ohio Criminal Rules of Procedure
- Americans with Disabilities Act, Title II
- Ohio Supreme Court Rules of Superintendence, Rule 45(E)

Relevant case law includes:

- State v. Bush, 96 Ohio St.3d 235 (2002)
- State v. Gwen, 134 Ohio St.3d 284 (2012)
- United States v. Cronic, 466 U.S. 648 (1984)

VII. REQUEST FOR RELIEF

WHEREFORE, Defendant respectfully requests this Court:

1. VACATE the judgment of conviction in Case No. CRB2400102;

2. DISMISS the charges with prejudice due to improper filing and systemic violations;

3. SEAL all records associated with this case under R.C. 2953.32;

4. HALT all hearings, enforcement actions, or penalties until independent oversight is complete.

Respectfully submitted,

/s/ Jeremy Lee Shepherd
Jeremy Lee Shepherd
Email: jeremyshepherd07@outlook.com
[Address Withheld – Homeless]
Date: November 19th, 2025

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion to Vacate was served via email upon:

James F. Duranczyk
City Prosecutor
c/o pnickolite@cityofbryan.com
Date: November 19th, 2025

/s/ Jeremy Lee Shepherd

FILED
BRYAN MUNICIPAL COURT
Nov 25, 2025 - 08:38:09 AM

IN THE BRYAN MUNICIPAL COURT
WILLIAMS COUNTY, OHIO

STATE OF OHIO	:	CASE NO. CRB2400102
	:	
v.	:	JUDGE KENT L. NORTH
	:	
JEREMY LEE SHEPHERD	:	

URGENT NOTICE OF OBJECTION TO UNLAWFUL HEARING SCHEDULED FOR NOVEMBER 25, 2025
BASED ON PENDING ADA FILINGS AND UNRESOLVED DUE PROCESS ISSUES

Now comes the Defendant, Jeremy Lee Shepherd, pro se, and respectfully files this urgent notice to formally object to the hearing scheduled for November 25, 2025, on the following grounds:

1. On November 14, 2025, Defendant filed a formal Motion for ADA Accommodation and supporting documentation establishing that he is permanently disabled under federal law and that participation in court hearings—whether in-person or remote—creates serious harm and violates federal ADA Title II protections.

2. The Court has not yet ruled on that ADA motion, and any hearing scheduled prior to that ruling is in direct violation of federal due process, the Americans with Disabilities Act, and fundamental fairness principles required by law.

3. Requiring Mr. Shepherd to appear for a hearing under unresolved ADA conditions is unlawful and retaliatory under 42 U.S. Code § 12132 and applicable case law.

4. The hearing notice vaguely states it is being scheduled due to “previous filings,” but fails to identify specific legal cause or the nature of the hearing. This further violates notice requirements under Ohio Criminal Rule 10 and the Fourteenth Amendment.

5. The ADA filing, combined with the pending Motion to Vacate based on multiple constitutional violations, should result in a temporary stay of any hearings or enforcement actions until those matters are properly resolved by written ruling.

WHEREFORE, Defendant respectfully requests:

1. That the hearing scheduled for November 25, 2025, be cancelled or stayed pending the Court’s ruling on the ADA motion and Motion to Vacate;

2. That no further hearings or adverse actions be taken until ADA rights are fully adjudicated in compliance with federal law;

3. That any attempt to proceed without resolving these matters be considered a violation of Defendant's rights under the United States Constitution and the Americans with Disabilities Act, and will be addressed accordingly in future filings, appeals, or federal complaints.

Respectfully submitted,

/s/ Jeremy Lee Shepherd
Jeremy Lee Shepherd
Email: jeremyshepherd07@outlook.com
[Address Withheld – Homeless]
Date: November 24, 2025

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served via email on the following party:

James F. Duranczyk
City Prosecutor
c/o pnickolite@cityofbryan.com
Date: November 24, 2025

/s/ Jeremy Lee Shepherd

FILED
BRYAN MUNICIPAL COURT
Nov 25, 2025 - 08:38:09 AM

IN THE BRYAN MUNICIPAL COURT
WILLIAMS COUNTY, OHIO

STATE OF OHIO : CASE NO. CRB2400102

v. : JUDGE KENT L. NORTH

JEREMY LEE SHEPHERD :

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3. That any attempt to proceed without resolving these matters be considered a violation of Defendant's rights under the United States Constitution and the Americans with Disabilities Act, and will be addressed accordingly in future filings, appeals, or federal complaints.

Respectfully submitted,

/s/ Jeremy Lee Shepherd
Jeremy Lee Shepherd
Email: jeremyshepherd07@outlook.com
[Address Withheld – Homeless]
Date: November 24, 2025

CERTIFICATE OF SERVICE

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James F. Duranczyk
City Prosecutor
c/o pnickolite@cityofbryan.com
Date: November 24, 2025

/s/ Jeremy Lee Shepherd

FILED
BRYAN MUNICIPAL COURT
2025 NOV 25 AM 9:18
TRISHA M. RUSSELL
CLERK

11-25-2025
Will continue hearing to later date at call of court.

Kim Houk

From:	Bryan Municipal Court
Sent:	Tuesday, November 25, 2025 9:29 AM
To:	'Jeremy Shepherd'
Subject:	Emailing: Jeremy Shepherd - judge's response to nov 25, 2025 filing
Attachments:	Jeremy Shepherd - judge's response to nov 25, 2025 filing.pdf

Mr. Shepherd,
Enclosed is Judge's response to today's filing. Hearing has been cancelled for today.

Your message is ready to be sent with the following file or link attachments:

Jeremy Shepherd - judge's response to nov 25, 2025 filing

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

FILED
BRYAN MUNICIPAL COURT
2025 NOV 25 AM 9:41
TRISHA M. RUSSELL
CLERK

Bryan Municipal Court

From: Microsoft Outlook
To: Jeremy Shepherd
Sent: Tuesday, November 25, 2025 9:32 AM
Subject: Relayed: Emailing: Jeremy Shepherd - judge's response to nov 25, 2025 filing

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

Jeremy Shepherd (Jeremyshepherd07@outlook.com)

Subject: Emailing: Jeremy Shepherd - judge's response to nov 25, 2025 filing

Emailing: Jeremy Shepherd - ju...

FILED
BRYAN MUNICIPAL COURT
2025 NOV 25 AM 9:30
TRISHA M. RUSSELL
CLERK

FILED
BRYAN MUNICIPAL COURT
Nov 25, 2025 - 04:17:53 PM

IN THE BRYAN MUNICIPAL COURT
WILLIAMS COUNTY, OHIO

STATE OF OHIO : CASE NO. CRB2400102
:
v. : JUDGE KENT L. NORTH
:
JEREMY LEE SHEPHERD :

[PROPOSED] JUDGMENT ENTRY REGARDING DEFENDANT'S
MOTION FOR FORMAL WRITTEN ORDERS AND EXPEDITED RULINGS

This matter comes before the Court on the Defendant's Motion for Formal Written Orders and Expedited Rulings, filed on November 25, 2025. Upon review of the motion and the docket, and for good cause shown:

IT IS HEREBY ORDERED THAT:

1. The hearing previously scheduled for November 25, 2025 is formally CANCELLED. No adverse action shall result from Defendant's failure to appear.

2. The Court shall issue a ruling on Defendant's pending ADA Accommodation Motion, filed November 14, 2025, no later than December 2, 2025.

3. The City Prosecutor is ORDERED to respond to the Defendant's Motion to Vacate Conviction, filed November 19, 2025, no later than December 9, 2025.

4. The Court shall issue a ruling or set a hearing on the Motion to Vacate within 30 days of the prosecution's response.

5. All further proceedings in this case are STAYED pending resolution of the ADA motion and the Motion to Vacate.

6. All future rulings in this matter shall be issued as formal written orders and entered on the Court's docket.

IT IS SO ORDERED.

Date: _____

_____
JUDGE KENT L. NORTH
Bryan Municipal Court

FILED
BRYAN MUNICIPAL COURT
Nov 25, 2025 - 04:18:34 PM

IN THE BRYAN MUNICIPAL COURT
WILLIAMS COUNTY, OHIO

STATE OF OHIO	:	CASE NO. CRB2400102
	:	
v.	:	JUDGE KENT L. NORTH
	:	
JEREMY LEE SHEPHERD	:	

MOTION FOR FORMAL WRITTEN ORDERS AND EXPEDITED RULINGS

Now comes the Defendant, Jeremy Lee Shepherd, pro se, and respectfully moves this Honorable Court to issue formal written rulings regarding multiple unresolved matters currently pending before the Court. In support thereof, Defendant states as follows:

I. STATUS OF NOVEMBER 25, 2025 HEARING

While a handwritten notation appears on the Defendant's Urgent Notice of Objection, indicating that the November 25, 2025 hearing was "withdrawn from the call of court," no formal order has been issued or entered on the docket. Defendant respectfully requests:

- Formal written order confirming the cancellation of the hearing;
- Statement of cause for the cancellation, ideally referencing ADA issues raised;
- Confirmation that no adverse action will result from Defendant's nonappearance at said hearing.

II. PENDING ADA ACCOMMODATION MOTION

Defendant filed a Motion for ADA Accommodation on November 14, 2025, supported by documentation showing he is permanently disabled. It has been more than 11 days with no ruling. Under 42 U.S.C. § 12132, public entities must provide reasonable accommodations in a timely manner. Delay constitutes denial.

Defendant requests:

- Written ruling on the ADA motion within 7 days;
- If denied, findings explaining the denial;
- If granted, a clear order specifying accommodations.

III. PENDING MOTION TO VACATE

Defendant filed a Motion to Vacate on November 19, 2025, citing jurisdictional, constitutional, and ADA violations. The prosecution has not responded, and no action has been taken by the Court.

Defendant requests:

- Order requiring the prosecution to respond within 14 days;
- Hearing or ruling within 30 days of response;
- That all proceedings be stayed pending resolution.

IV. LEGAL BASIS FOR RELIEF

Delays without resolution deny due process and access to justice. Defendant is disabled, homeless, and without resolution to fundamental legal issues. The Court must:

1. Grant the ADA accommodation and rule on the Motion to Vacate;
2. Deny them with written justification; or
3. Continue delay—which violates constitutional rights.

V. PATTERN OF PROCEDURAL IRREGULARITIES

This case is marked by irregularities:

- Hearings scheduled without clear notice;
- ADA rights ignored despite known disability;
- Fundamental jurisdictional defects unaddressed;
- Informal, undocumented rulings.

PRAYER FOR RELIEF

WHEREFORE, Defendant respectfully requests:

1. Formal written order confirming cancellation of the Nov. 25, 2025 hearing;
2. Written ruling on ADA accommodation motion within 7 days;
3. Order requiring prosecution to respond to Motion to Vacate within 14 days;
4. Ruling or hearing on Motion to Vacate within 30 days of response;
5. Stay of all proceedings until both motions are resolved;
6. Assurance that all future orders be written, docketed, and legally sufficient.

Respectfully submitted,
/s/ Jeremy Lee Shepherd
Jeremy Lee Shepherd, Pro Se
Email: jeremyshepherd07@outlook.com
[Address Withheld – Homeless]
Date: November 25, 2025

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served via email upon:

James F. Duranczyk
City Prosecutor
c/o pnickolite@cityofbryan.com
Date: November 25, 2025

/s/ Jeremy Lee Shepherd

FILED
BRYAN MUNICIPAL COURT
Nov 26, 2025 - 08:34:24 AM

Jeremy Lee Shepherd
[Email: jeremyshepherd07@outlook.com]
[Address Withheld – Currently Homeless]
Date: November 26, 2025

Clerk of Court
Bryan Municipal Court
1399 East High Street
Bryan, OH 43506

RE: Notice Regarding Supplemental Filing – Case No. CRB2400102

To the Clerk of Court:

Please accept the attached document titled:

“Supplemental Motion for Reasonable Accommodation Under the ADA With Specific Accommodation Requests”

for filing in the above-referenced matter.

Defendant filed an original Motion for ADA Accommodation on November 14, 2025. It has now been twelve (12) days with no ruling or formal response from the Court.

This supplemental filing provides:
- Specific details about the disability and how it limits participation
- A list of requested accommodations and their legal basis
- Documentation of the Court’s ongoing noncompliance with ADA obligations
- A timeline for Court response and consequences of further delay

This document is intended to be read in conjunction with the November 14, 2025 filing, both of which remain pending and require immediate judicial attention.

Thank you for processing this filing and entering it on the docket.

Respectfully submitted,
/s/ Jeremy Lee Shepherd
Jeremy Lee Shepherd
Email: jeremyshepherd07@outlook.com

FILED
BRYAN MUNICIPAL COURT
Nov 26, 2025 - 08:35:18 AM

IN THE BRYAN MUNICIPAL COURT
IN AND FOR WILLIAMS COUNTY, OHIO

STATE OF OHIO,
Plaintiff, : CASE NO. CRB2400102
:
v. : JUDGE KENT L. NORTH
:
JEREMY LEE SHEPHERD, :
Defendant. :

SUPPLEMENTAL MOTION FOR REASONABLE ACCOMMODATION UNDER THE ADA WITH SPECIFIC ACCOMMODATION REQUESTS

TO THE HONORABLE JUDGE PRESIDING:

Defendant Jeremy Lee Shepherd, pro se, respectfully supplements his November 14, 2025 ADA accommodation request with this more detailed motion explaining:

- The specific nature of his disability
- How it prevents participation in standard court proceedings
- The specific accommodations needed
- Why these accommodations are reasonable and legally required

I. DISABILITY STATUS AND COURT'S PRIOR KNOWLEDGE
Defendant has bipolar disorder and receives Social Security Disability Insurance (SSDI) benefits, confirming federal recognition of permanent disability status under 42 U.S.C. § 423.
This Court has been on notice of Defendant's disability since March 13, 2024, when Defendant disclosed his SSDI status via financial affidavit filed at arraignment.
Despite this knowledge, the Court initiated no ADA procedures for over 18 months, violating its obligations under Title II of the ADA (42 U.S.C. § 12132) and implementing regulations (28 C.F.R. § 35.160).
II. HOW THE DISABILITY AFFECTS PARTICIPATION
A. Nature of Bipolar Disorder
Bipolar disorder is a federally recognized disability that substantially limits major life activities including:
Concentration and cognitive processing
Managing stress and emotional regulation
Consistent functioning under pressure
Interpersonal interactions in high-stress environments

Sleep regulation and nighttime functioning
B. Exacerbation Due to This Case
Defendant's bipolar disorder has been severely exacerbated by the trauma of these proceedings, including:
Wrongful prosecution based on false law enforcement statements
Coercive pressure from conflicted court-appointed counsel
Harassment in courthouse parking lot creating safety fears
Loss of 10-year home due to this case
Current homelessness and housing instability
Financial devastation from loss of supplemental jobs like door dash because of pending charges
Systematic denial of due process documented in pending Motion to Vacate
Defendant maintained stable housing for over 10 years prior to this case. The stress and trauma of these proceedings directly destabilized Defendant's previously managed condition and destroyed the life stability necessary to cope with his disability.
C. Recent Acute Stress Episode
The stress of the impending November 25, 2025 hearing - scheduled without accommodation being resolved - severely exacerbated Defendant's symptoms. Defendant experienced:
Extreme anxiety and panic about the hearing
Sleep disruption and racing thoughts
Desperation to find help and prevent the hearing
Nighttime behaviors driven by crisis (including reaching out to multiple legal services that Defendant does not fully remember due to stress-induced memory gaps)
Worsening of bipolar symptoms under acute stress
Relief when hearing was cancelled, but ongoing anxiety while matters remain unresolved
This demonstrates exactly why accommodation is necessary - the Court's failure to rule timely on accommodation directly harms Defendant's mental health and triggers acute episodes.
D. Specific Barriers to Participation
As a direct result of his disability as exacerbated by this case, Defendant now experiences:
Severe anxiety and panic symptoms triggered by court-related communications and proceedings related to this case
Inability to be physically present at the Bryan Municipal Court courthouse due to:
Prior harassment in courthouse parking lot
Trauma associated with the location
Safety concerns
Physical symptoms when contemplating attendance (rapid heartbeat, difficulty breathing, severe distress)
Cognitive impairment under stress making real-time verbal participation difficult:
Difficulty processing complex legal information quickly
Need for additional time to review documents and formulate responses
Inability to effectively advocate in high-pressure courtroom settings
Memory gaps during high-stress periods
Current homelessness making travel to court and maintenance of stability for court appearances physically impossible
Ongoing trauma response when engaging with this court system that has:

Failed to protect him from harassment
Provided conflicted and ineffective counsel
Violated his rights systematically for 18+ months
Caused the loss of his home and stability
These barriers are not voluntary avoidance - they are manifestations of Defendant's disability as worsened by the Court's own procedural failures.
The Court cannot cause a disability barrier through its own misconduct and then refuse to accommodate that barrier.
III. SPECIFIC ACCOMMODATIONS REQUESTED
Pursuant to 28 C.F.R. § 35.160(b)(1), Defendant requests the following specific, reasonable accommodations:
A. PRIMARY ACCOMMODATION: Written Participation
All proceedings to be conducted via written filings rather than in-person or remote hearings
Extended time for responses: 30 days to respond to any court orders, motions, or requests (rather than standard timeframes)
Written questions in lieu of testimony: If testimony is required, allow Defendant to respond to written questions submitted in advance, with adequate time to formulate written responses
No requirement for real-time appearance: Whether in-person, telephonic, or video
Email as primary communication method: All court communications via email rather than phone calls
RATIONALE: Written participation allows Defendant to:
Process information at a pace his disability permits
Respond during periods when his condition is more stable
Avoid triggering panic/anxiety symptoms
Participate meaningfully despite cognitive impacts of his disability
Engage from his current location
Review and formulate responses without the pressure of real-time interaction
B. ALTERNATIVE ACCOMMODATION (If Court Denies Written Participation):
If the Court determines written participation would fundamentally alter proceedings (though Defendant respectfully disagrees), Defendant requests as alternative:
Virtual appearance only (never in-person at Bryan Municipal Court)
With following conditions:
Camera off (to reduce anxiety)
Questions submitted to Defendant in writing 48 hours in advance
Permission to have written notes to reference
Breaks every 15 minutes or as needed
Session limited to 1 hour maximum
Scheduled with at least 30 days advance notice
Recorded so Defendant can review if stress prevents full comprehension during session
C. ADDITIONAL ACCOMMODATIONS (Applicable to Any Format):
All court documents provided in electronic format to accommodate Defendant's homelessness and inability to maintain physical files
Email as primary communication method rather than phone calls (which can trigger anxiety)
Plain language explanations of procedural requirements and deadlines

No adverse inference from Defendant's need for accommodations or slower response times
No penalties or negative consequences for disability-related barriers to participation
IV. THESE ACCOMMODATIONS ARE REASONABLE
A. They Do Not Fundamentally Alter Proceedings
Courts routinely accept written submissions in lieu of hearings for procedural matters
Many courts shifted to remote/written proceedings during COVID-19 - demonstrating feasibility and effectiveness
Ohio Rules of Civil and Criminal Procedure permit written motions practice for most matters
Federal courts regularly accommodate disabilities with written participation, extended deadlines, and modified procedures
The accommodation addresses Defendant's specific barriers without requiring extensive court resources
Written practice may actually be MORE efficient - no scheduling conflicts, no courtroom time needed, judge can review at convenience
Many judges prefer written submissions as they allow more careful consideration than oral arguments
B. They Do Not Create Undue Burden
Written filings are LESS burdensome than hearings:
No scheduling coordination required
No courtroom time needed
No staff time for hearing management
Judge can review at convenience
Electronic communication is standard and requires no special technology beyond what court already uses
Extended time for responses merely requires the Court to track longer deadlines - standard administrative function
The Court already has all necessary infrastructure:
Email system
Electronic filing capability
Ability to issue written orders
No new technology or training needed
Cost is minimal to non-existent - no special equipment, services, or personnel required
Other courts across Ohio and nationwide provide these exact accommodations routinely
C. Legal Support
Courts must provide accommodations that ensure "meaningful access" to judicial proceedings. Tennessee v. Lane, 541 U.S. 509, 531-32 (2004) ("Title II's requirement of program accessibility … is congruent and proportional to its object of enforcing the right of access to the courts").
"Public entities must make reasonable modifications in policies, practices, or procedures when necessary to avoid discrimination on the basis of disability." 28 C.F.R. § 35.130(b)(7).
"A public entity shall furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities … an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity." 28 C.F.R. § 35.160(b)(1).
Accommodations for mental health disabilities are specifically protected and required. See Disability Rights Ohio v. Ohio Dep't of Developmental Disabilities, No. 2:13-cv-1014 (S.D. Ohio);

Frame v. City of Arlington, 657 F.3d 215, 236 (5th Cir. 2011) (ADA protections extend to mental disabilities).

Courts have specifically approved written participation as reasonable accommodation for individuals with mental health disabilities. See Wisconsin Community Services v. City of Milwaukee, 465 F.3d 737 (7th Cir. 2006).

V. FAILURE TO ACCOMMODATE VIOLATES FEDERAL LAW

A. The Court's Pattern of ADA Violations

March 13, 2024: Defendant disclosed SSDI status on financial affidavit - Court took no action

March 2024 - November 2025: 18+ months of proceedings without any ADA accommodations, procedures, or inquiry into Defendant's needs

November 14, 2025: Defendant filed formal accommodation request

November 19, 2025: Court scheduled hearing 5 days later without ruling on accommodation - demonstrating deliberate disregard for ADA obligations

November 24, 2025: Defendant filed emergency objection citing ADA violations

November 25, 2025: Court cancelled hearing via informal handwritten note but still has not ruled on accommodation

November 26, 2025 (today): 12 days since accommodation request filed - still no ruling, no response, no acknowledgment

This delay is itself a denial of accommodation. 28 C.F.R. § 35.160(b)(1) requires "prompt" consideration of accommodation requests. Twelve days of silence is not prompt. Eighteen months of ignoring disability status is systematic discrimination.

B. Ongoing Harm from Delay

Each day without ruling causes ongoing harm:

Defendant remains in legal limbo, unable to know his status or how to proceed

Uncertainty worsens disability symptoms, triggering anxiety and stress responses

Defendant cannot plan or stabilize his life while case hangs unresolved

Homelessness continues unaddressed - Defendant cannot secure housing without resolving legal status

Trauma from this case continues to compound with each day of uncertainty

Defendant's ability to effectively advocate for himself deteriorates under prolonged stress

The disability-related barriers become more entrenched with continued exposure to triggering situation

Delay is not neutral - it is actively harmful to a disabled person seeking accommodation to access justice.

C. Legal Consequences of Continued Violation

Failure to provide reasonable accommodation constitutes:

Discrimination under Title II of ADA (42 U.S.C. § 12132) - "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity"

Violation of Rehabilitation Act (29 U.S.C. § 794) - prohibits disability discrimination by entities receiving federal funds

Due process violation (5th and 14th Amendments) - right to access courts and meaningful opportunity to be heard

Basis for federal civil rights lawsuit under 42 U.S.C. § 1983 for deprivation of federal rights under color of state law
Potential retaliation violation (42 U.S.C. § 12203) if adverse action taken because Defendant asserted ADA rights
D. The Court Cannot:
Ignore the request indefinitely - delay is denial and violates federal law
Deny without written justification - must explain specifically why accommodation is unreasonable, would fundamentally alter proceedings, or create undue burden
Proceed with standard procedures without accommodation - that is the discrimination the ADA prohibits
Retaliate for requesting accommodation - issuing warrants, penalties, or adverse rulings because Defendant asserted ADA rights violates 42 U.S.C. § 12203
Claim ignorance of disability - Court has known since March 2024 and cannot now plead lack of notice
VI. IMMEDIATE RELIEF REQUIRED
The Court must:
Issue written ruling on this accommodation request within 7 days of this filing
If granting accommodation, specify in writing:
Which accommodations are provided
How they will be implemented
Effective date
Any procedures Defendant should follow
If denying any requested accommodation, provide written explanation of:
Why the specific accommodation would fundamentally alter proceedings, OR
Why it would create undue burden
What evidence supports that conclusion
What alternative accommodation, if any, is offered
Stay all proceedings until accommodation is resolved - Defendant cannot participate without accommodation, so proceeding would violate ADA and due process
Ensure no adverse action results from Defendant's inability to participate in standard procedures while accommodation is pending
Order that the accommodation, once granted, applies to all proceedings in this case going forward, including:
Any hearings on Motion to Vacate
Any further proceedings if Motion to Vacate is denied
All communications with Defendant
All procedural requirements
VII. CONNECTION TO PENDING MOTION TO VACATE
Defendant's November 19, 2025 Motion to Vacate documents extensive constitutional violations in this case, including:
False law enforcement statements forming basis of prosecution
Ineffective assistance of counsel
Conflicts of interest
Due process violations throughout

The pattern of ADA violations described herein
The ADA violations are not separate from the constitutional violations - they are part of the same pattern of systematic denial of Defendant's rights.
The Court should not proceed with any further action until both:
ADA accommodations are resolved and implemented, AND
Motion to Vacate is adjudicated on the merits
To proceed with hearings on the Motion to Vacate without first providing accommodation would:
Violate the ADA (proceeding without accommodation)
Violate due process (hearing without defendant able to participate)
Demonstrate continued disregard for Defendant's rights
Compound the violations already documented in the Motion to Vacate
VIII. DEFENDANT'S GOOD FAITH
Defendant is not attempting to avoid justice or evade proceedings. Defendant is:
Actively engaging through written filings
Requesting the specific accommodations he needs to participate
Willing to participate fully if properly accommodated
Entitled to equal access to justice under federal law
Attempting to exercise his rights despite enormous barriers
Defendant should not be penalized for:
Having a disability
Asserting his federally protected rights
Being unable to participate in ways his disability prevents
Experiencing trauma from this Court's own procedural failures
Defendant has been fighting pro se while homeless and disabled. The fact that he continues to engage, file motions, and seek accommodation demonstrates his good faith and commitment to resolving this matter - if the Court will provide the equal access the law requires.
IX. NOTE TO THE COURT
Defendant is aware that this Supplemental Motion is lengthy. However, given:
The complexity of ADA law
The Court's 18-month failure to initiate any ADA procedures despite knowledge of Defendant's disability
The need to create a complete record for potential federal review
The Court's 12-day silence on the initial request suggesting lack of clarity
This level of detail is necessary.
The core request is simple: written participation with extended time to respond.
Everything else in this motion explains why that request is:
Reasonable
Legally required
Easily implementable
Must be granted
Defendant has attempted to be as clear and specific as possible to facilitate the Court's ruling and avoid further delay or confusion.
Defendant respectfully requests the Court read this motion carefully and provide the accommodation federal law requires.

X. PRAYER FOR RELIEF
WHEREFORE, Defendant respectfully requests this Court:
GRANT the requested accommodations for written participation with extended deadlines as detailed in Section III.A
Issue written order within 7 days specifying:
What accommodations are provided
How they will be implemented
Effective immediately
Stay all proceedings until accommodations are in place and Defendant can participate meaningfully
Order that no adverse action (warrants, penalties, negative inferences, procedural defaults) result from Defendant's disability-related inability to participate in standard procedures
If denying any accommodation, provide written findings within 7 days explaining specifically:
Why the accommodation would fundamentally alter proceedings
OR why it would create undue burden
What evidence supports that conclusion
What alternative accommodation is offered
Stay all proceedings on pending Motion to Vacate until accommodations are resolved and implemented
Ensure accommodation applies to all future proceedings in this case
Time is of the essence. Defendant is homeless, disabled, and unable to access justice without accommodation. Defendant has now provided all information necessary for the Court to rule. Further delay violates federal law and causes ongoing harm.

Respectfully submitted,

/s/ Jeremy Lee Shepherd
Jeremy Lee Shepherd, Pro Se
Email: jeremyshepherd07@outlook.com
[Address Withheld – Currently Homeless]
Dated: November 26, 2025

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served via email upon:

James F. Duranczyk
City Prosecutor
c/o pnickolite@cityofbryan.com

Dated: November 26, 2025

/s/ Jeremy Lee Shepherd

FILED
BRYAN MUNICIPAL COURT
Nov 26, 2025 - 08:35:58 AM

IN THE MUNICIPAL COURT OF THE CITY OF BRYAN
IN AND FOR WILLIAMS COUNTY, OHIO

STATE OF OHIO	)	
	)	CASE NO. CRB2400102
vs.	)	
	)	PROPOSED ORDER GRANTING
JEREMY LEE SHEPHERD	)	REASONABLE ACCOMMODATION
	)	UNDER THE AMERICANS WITH
	)	DISABILITIES ACT

PROPOSED ORDER GRANTING REASONABLE ACCOMMODATION
UNDER THE AMERICANS WITH DISABILITIES ACT

This matter came before the Court on Defendant Jeremy Lee Shepherd's Supplemental Motion for Reasonable Accommodation Under the Americans with Disabilities Act filed November 26, 2025.

The Court has reviewed the motion, supporting documentation including Defendant's Social Security Disability Insurance award letter, and applicable law.

THE COURT FINDS:

1. Defendant Jeremy Lee Shepherd is a qualified individual with a disability under the Americans with Disabilities Act, 42 U.S.C. § 12132, as evidenced by his receipt of Social Security Disability Insurance benefits for bipolar disorder.

2. The Court has been on notice of Defendant's disability status since March 13, 2024, when Defendant disclosed his SSDI status via financial affidavit.

3. Defendant's disability substantially limits major life activities including managing stress, cognitive processing under pressure, and participation in high-stress court proceedings.

4. Defendant's disability has been exacerbated by the trauma and stress of these proceedings, including loss of employment, loss of his home, and resulting homelessness directly caused by the pending charges.

5. The accommodations requested by Defendant are reasonable under the ADA and do not fundamentally alter the nature of court proceedings or create an undue burden on the Court.

6. Title II of the Americans with Disabilities Act and its implementing regulations (28 C.F.R. § 35.160) require this Court to provide reasonable accommodations to ensure Defendant has meaningful access to judicial proceedings.

7. Providing written participation with extended response times is a reasonable accommodation that allows Defendant to participate effectively despite his disability.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:

1. ACCOMMODATION GRANTED:

Defendant's request for reasonable accommodation under the Americans with Disabilities Act is GRANTED.

2. WRITTEN PARTICIPATION:

Defendant may participate in all proceedings in this case via written filings only. Defendant is NOT required to appear in person, telephonically, or via video conference for any hearing, conference, or proceeding.

3. EXTENDED RESPONSE TIMES:

Defendant shall have thirty (30) days (rather than standard timeframes under Ohio Criminal Rules or local rules) to respond to:
- Any court orders
- Any motions filed by the State
- Any requests for response or information
- Any other matters requiring Defendant's input

4. WRITTEN QUESTIONS IN LIEU OF TESTIMONY:

If testimony from Defendant is required for any purpose, the Court shall:
- Submit written questions to Defendant via email
- Allow Defendant reasonable time (at least 14 days) to formulate written responses
- Accept Defendant's written responses in lieu of oral testimony
- Not require Defendant's real-time presence for any testimonial purpose

5. EMAIL COMMUNICATION:

All court communications with Defendant shall be via email to: jeremyshepherd07@outlook.com

No phone calls shall be required. All notices, orders, and communications shall be in writing and transmitted electronically.

6. ELECTRONIC DOCUMENT PROVISION:

All court documents, filings, orders, and materials shall be provided to Defendant in electronic format (PDF via email) to accommodate Defendant's current housing instability.

7. NO ADVERSE INFERENCE:

No adverse inference, negative presumption, or penalty shall be drawn or imposed due to:
- Defendant's need for accommodation
- Defendant's inability to appear in person or remotely
- Defendant's use of extended response times
- Defendant's participation via writing rather than in-person appearance

8. STAY OF PROCEEDINGS:

All proceedings in this case are STAYED for thirty (30) days from the date of this Order to allow Defendant adequate time to respond to pending matters using the accommodations provided herein.

9. APPLICATION TO ALL PROCEEDINGS:

These accommodations apply to ALL proceedings in this case, including but not limited to:
- The pending Motion to Vacate Judgment
- Any hearings on said motion
- Any future motions or filings
- Any sentencing or post-conviction matters
- All aspects of this case going forward

10. SELF-EXECUTING ACCOMMODATIONS:

These accommodations are self-executing and require no appointment of any coordinator, liaison, or intermediary. Defendant will utilize these accommodations by filing written responses within extended timeframes, receiving court communications via email, and accessing documents electronically.

11. COURT'S CONTINUING OBLIGATION:

The Court recognizes its continuing obligation under the ADA to provide reasonable accommodation and will consider any additional accommodation requests Defendant may make as circumstances require.

12. EFFECTIVE DATE:

This Order is effective immediately upon signing.

IT IS SO ORDERED.

DATE: _____

_____
JUDGE KENT L. NORTH
Bryan Municipal Court
Williams County, Ohio

CERTIFICATE OF SERVICE

The Court certifies that a copy of this Order has been served upon:

Jeremy Lee Shepherd
Via email: jeremyshepherd07@outlook.com

James F. Duranczyk, City Prosecutor
Via email: pnickolite@cityofbryan.com

Date: _____

_____
Clerk of Court

IN THE BRYAN MUNICIPAL COURT
WILLIAMS COUNTY, OHIO

STATE OF OHIO
Plaintiff

CASE NO: CRB 2400102

V.

JUDGMENT ENTRY

JEREMY SHEPHERD

Defendant

It is hereby ordered all motions filed and pending in the above listed case shall be set for oral hearing within 14 days from the date of this entry.

Judge

FILED
BRYAN MUNICIPAL COURT
2025 NOV 26 AM 10: 02
TRISHA M. RUSSELL
CLERK